

**\*E-FILED 8/15/05\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BRUCE GOURLEY, et al.,

No. C 05-03299 RS

Plaintiff,

ORDER TRANSFERING ACTION

v.

TRI-COUNTY, INC.,

Defendant.

Pursuant to Local Civil Rule 3-2(c), a civil action “arises in the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.” Rule 3-2(d) provides that civil actions arising in the counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo or Sonoma are to be assigned to the San Francisco or Oakland division of this court. Further, when a judge of this court finds that a civil action has not been “assigned to the proper division within this district in accordance with this rule,” the judge may transfer the action to the appropriate venue. Civ. Rule 3(f).

This action arises in Napa County and so should be reassigned to the San Francisco or Oakland division. This action is therefore TRANSFERRED for reassignment in accordance with

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**United States District Court**

For the Northern District of California

1 Civil Rule 3(d).

2 IT IS SO ORDERED.

3 DATED: August 15, 2005

4 /s/ Richard Seeborg

RICHARD SEEBORG

United States Magistrate Judge

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1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER WAS ELECTRONICALLY**  
2 **PROVIDED TO:**

3 Sue Campbell, Esq.  
4 Email: suecampbell@att.net

5  
6 Dated: August 15, 2005

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8 /s/ BAK  
9 Chambers of Magistrate Judge Richard Seeborg